

SIDLEY & AUSTIN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATION

LOS ANGELES
NEW YORK
WASHINGTON, D.C.

ONE FIRST NATIONAL PLAZA
CHICAGO, ILLINOIS 60603
TELEPHONE 312: 853-7000
TELEX 25-4364
FACSIMILE 312: 853-7000

LONDON
SINGAPORE
TOKYO

WRITER'S DIRECT NUMBER
(312) 853-2659

125th
Anniversary
1866-1991

January 16, 1992

BY TELECOPY

Steven M. Siegel
Assistant Regional Counsel
United States Environmental
Protection Agency, Region V
230 S. Dearborn (SCS-TUB-3)
Chicago, IL 60604

Re: NL Industries/Taracorp Superfund Site

Dear Mr. Siegel:

The parties to our correspondence of January 3, 1992 have received your correspondence of January 9, 1992 and disagree seriously with your approach to access. We believe that your response indicates that the United States Environmental Protection Agency ("U.S. EPA") does not recognize a central point of our letter--until the community accepts that granting access is not to its detriment, there will be difficulty in securing access. The community must understand that access can be divorced from the ultimate step of disrupting residential yards and that access for purposes of soil sampling will simply help narrow the area of concern.

While you have stated that U.S. EPA has met a sufficient number of times with city and community representatives, our conversations with such representatives indicate that you are mistaken in your belief. We have been told by interested parties that very little discussion has occurred between you and the city, that its citizens are confused and frightened about the cleanup and do not understand how access fits into cleanup plans. We are further told that your program has little chance of reaching a significant number of households short of litigation, but that an appropriate program can be designed which will reach the citizens. We believe that on such matters we should defer to area residents.

EPA Region 5 Records Ctr.



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We note that the parties to our January 3, 1992 letter offered to help U.S. EPA with access. It was a no-strings-attached offer. During our earlier telephone conversation, you had requested our vision of how to obtain access, and that is what we in good faith sent to you. Rather than attempting to understand the plight of the city and its citizens, the agency asks that we continue in a strategy which has been unsuccessful to date. However, telling us what to do will not solve the problem; only the city and its citizens have the power to cooperate. Consequently, we cannot provide you with the specific help you seek.

However, because we remain interested in forwarding access, the parties to the earlier letter intend to meet with city and citizen representatives and plan an access campaign. We will inform you of the results afterward and proceed with the citizens' plan as their representatives believe warranted.

U.S. State-Enviro
Protection Agency
Chicago, Illinois

As noted, our original proposal was a no-strings-attached offer; we were not attempting to procure anything in return for it. Consequently, we suggest that any future requests regarding access should carry a less demanding tone.

Yours very truly,

Dennis P. Reis

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